



City Council Chambers
3300 Capitol Avenue
Fremont, California

City Council

Bob Wasserman, Mayor
Anu Natarajan, Vice Mayor
Bob Wieckowski
Bill Harrison
Suzanne Lee Chan

City Staff

Fred Diaz, City Manager
Harvey E. Levine, City Attorney
Melissa Stevenson Dile, Deputy City Manager

Dawn G. Abrahamson, City Clerk
Harriet Commons, Finance Director
Marilyn Crane, Information Technology Svcs. Dir.
Daren Fields, Economic Dev. Director
Mary Kaye Fisher, Interim Human Resources Dir.
Annabell Holland, Parks & Recreation Dir.
Norm Hughes, City Engineer
Jill Keimach, Community Dev. Director
Bruce Martin, Fire Chief
Jim Pierson, Transportation & Ops Director
Jeff Schwob, Planning Director
Suzanne Shenfil, Human Services Director
Craig Steckler, Chief of Police
Elisa Tierney, Redevelopment Director

City Council Agenda and Report [Redevelopment Agency of Fremont]

General Order of Business

1. Preliminary
 - Call to Order
 - Salute to the Flag
 - Roll Call
2. Consent Calendar
3. Ceremonial Items
4. Public Communications
5. Scheduled Items
 - Public Hearings
 - Appeals
 - Reports from Commissions, Boards and Committees
6. Report from City Attorney
7. Other Business
8. Council Communications
9. Adjournment

Order of Discussion

Generally, the order of discussion after introduction of an item by the Mayor will include comments and information by staff followed by City Council questions and inquiries. The applicant, or their authorized representative, or interested citizens, may then speak on the item; each speaker may only speak once to each item. At the close of public discussion, the item will be considered by the City Council and action taken. Items on the agenda may be moved from the order listed.

Consent Calendar

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address the City Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.



Addressing the Council

Any person may speak once on any item under discussion by the City Council after receiving recognition by the Mayor. Speaker cards will be available prior to and during the meeting. To address City Council, a card must be submitted to the City Clerk indicating name, address and the number of the item upon which a person wishes to speak. When addressing the City Council, please walk to the lectern located in front of the City Council. State your name. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Mayor for each speaker (see instructions on speaker card). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said.

Oral Communications

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Oral Communications section of Public Communications. Please submit your speaker card to the City Clerk prior to the commencement of Oral Communications. **Only those who have submitted cards prior to the beginning of Oral Communications will be permitted to speak.** Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements. The Mayor will limit the length of your presentation (see instructions on speaker card) and each speaker may only speak once on each agenda item.

To leave a voice message for all Councilmembers and the Mayor simultaneously, dial 284-4080.

The City Council Agendas may be accessed by computer at the following Worldwide Web Address: www.fremont.gov

Information

Copies of the Agenda and Report are available in the lobbies of the Fremont City Hall, 3300 Capitol Avenue and the Development Services Center, 39550 Liberty Street, on Friday preceding a regularly scheduled City Council meeting. Supplemental documents relating to specific agenda items are available at the Office of the City Clerk.

The regular meetings of the Fremont City Council are broadcast on Cable Television Channel 27 and can be seen via webcast on our website (www.Fremont.gov).

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the City Clerk at (510) 284-4060. Council meetings are *open captioned* for the deaf in the Council Chambers and *closed captioned* for home viewing.

Availability of Public Records

All disclosable public records relating to an open session item on this agenda that are distributed by the City to all or a majority of the City Council less than 72 hours prior to the meeting will be available for public inspection in specifically labeled binders located in the lobby of Fremont City Hall, 3300 Capitol Avenue during normal business hours, at the time the records are distributed to the City Council.

Information about the City or items scheduled on the Agenda and Report may be referred to:

Address: City Clerk
City of Fremont
3300 Capitol Avenue, Bldg. A
Fremont, California 94538
Telephone: (510) 284-4060

Your interest in the conduct of your City's business is appreciated.

AGENDA
FREMONT CITY COUNCIL REGULAR MEETING
OCTOBER 13, 2009
COUNCIL CHAMBERS, 3300 CAPITOL AVE., BUILDING A
7:00 P.M.

1. PRELIMINARY

- 1.1 Call to Order
- 1.2 Salute the Flag
- 1.3 Roll Call
- 1.4 Announcements by Mayor / City Manager

2. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.

- 2.1 *Motion to Waive Further Reading of Proposed Ordinances*
(This permits reading the title only in lieu of reciting the entire text.)

- 2.2 *Approval of Minutes – None.*

- 2.3 **TRI-CITIES LANDFILL AND ALTAMONT LANDFILL CONTRACT AMENDMENTS**
Approval of Amendments to the Tri-Cities Recycling and Disposal Facility and the Altamont Landfill Contracts to Incorporate Requirements Related to the Transition of Municipal Solid Waste Disposal from the Tri-Cities Recycling and Disposal Facility to the Altamont Landfill

Contact Person:

Name:	<i>Ken Pianin</i>	<i>Kathy Cote</i>
Title:	<i>Solid Waste Administrator</i>	<i>Environmental Services Manager</i>
Dept.:	<i>Transportation and Operations</i>	<i>Transportation and Operations</i>
Phone:	<i>(510) 494-4582</i>	<i>(510) 494-4583</i>
E-Mail:	<i>kpianin@fremont.gov</i>	<i>kcote@fremont.gov</i>

RECOMMENDATION: *Authorize the City Manager or designee to execute amendments with Waste Management of Alameda County to the Tri-Cities Recycling and Disposal Facility and the Altamont Landfill Contracts as described in this staff report.*

2.4 *APPROVAL OF CHANGE ORDER - 2009 ASPHALT OVERLAY PROJECT*

Approval of \$400,000 Change Order for Additional Pavement Rehabilitation Work for the 2009 Asphalt Overlay, City Project No. 8234H (PWC)

Contact Persons:

<i>Name:</i>	<i>Connie Wong</i>	<i>Norm Hughes</i>
<i>Title:</i>	<i>Senior Civil Engineer</i>	<i>City Engineer</i>
<i>Dept.:</i>	<i>Community Development</i>	<i>Community Development</i>
<i>Phone:</i>	<i>510-494-4782</i>	<i>510-494-4748</i>
<i>E-Mail:</i>	<i>cwong@fremont.gov</i>	<i>nhughes@fremont.gov</i>

RECOMMENDATION: Authorize the City Manager, or designee, to execute a contract change order in the amount of \$400,000 to Granite Rock Company, thereby increasing the contract amount to \$6,233,856.

2.5 *FREMONT POLICE ASSOCIATION MOU*

Consideration of a Resolution Approving a New Memorandum of Understanding (2009-2011) with the Fremont Police Association (FPA)

Contact Person:

<i>Name:</i>	<i>Mary Kaye Fisher</i>	<i>Melissa Stevenson Dile</i>
<i>Title:</i>	<i>Interim Director</i>	<i>Deputy City Manager</i>
<i>Dept.:</i>	<i>Human Resources</i>	<i>City Manager's Office</i>
<i>Phone:</i>	<i>510-494-4664</i>	<i>510-284-4005</i>
<i>E-Mail:</i>	<i>mkfisher@fremont.gov</i>	<i>mdile@fremont.gov</i>

RECOMMENDATION: Adopt a resolution approving a two-year Memorandum of Understanding (MOU) between the City and the Fremont Police Association that commences July 1, 2009 and expires June 30, 2011, and provides for the benefits outlined above, and authorize the City Manager or designee to execute and implement the terms and conditions of the MOU.

2.6 *Second Reading and Adoption of an Ordinance of the City of Fremont Dissolving the Sister City Commission and Deleting the Provisions of the Fremont Municipal Code Related Thereto*

RECOMMENDATION: Adopt ordinance.

2.7 *APPEAL OF DENIAL OF SANGEETAANJALI MUSIC INSTITUTE – 4600 NELSON STREET*

Public Hearing (Published Notice) to Consider an Appeal of a Planning Commission Decision to Deny a Conditional Use Permit to Allow a Portion of an Existing Single-Family Residence to be Used as a Non-Profit Music School with Concerts and Recitals Held Inside the Home (PLN2009-00044)

Contact Person:

<i>Name:</i>	<i>Steve Kowalski</i>	<i>Jeff Schwob</i>
<i>Title:</i>	<i>Associate Planner</i>	<i>Planning Director</i>
<i>Dept.:</i>	<i>Community Development</i>	<i>Community Development</i>
<i>Phone:</i>	<i>510-494-4532</i>	<i>510-494-4527</i>
<i>E-Mail:</i>	<i>skowalski@fremont.gov</i>	<i>jschwob@fremont.gov</i>

Recommendation: Continue the item off-calendar and direct staff to return the matter to the City Council when the applicant returns to the country and re-notify all interested parties of the new hearing date once it has been determined.

3. CEREMONIAL ITEMS

- 3.1 Resolution: Honoring the Winners of the Alameda County Team Bike Challenge
- 3.2 Resolution: Honoring the 45th Anniversary of the Pathfinder Chapter of the American Business Women's Association

4. PUBLIC COMMUNICATIONS

- 4.1 Oral and Written Communications

REDEVELOPMENT AGENCY – The Redevelopment Agency Board will convene at this time and take action on the agenda items listed on the Redevelopment Agency Agenda. See separate agenda (yellow paper).

PUBLIC FINANCING AUTHORITY – None.

CONSIDERATION OF ITEMS REMOVED FROM CONSENT CALENDAR

5. SCHEDULED ITEMS – None.

6. REPORT FROM CITY ATTORNEY

6.1 Report Out from Closed Session of Any Final Action

7. OTHER BUSINESS – None.

7.1 INFORMATION PRESENTATION ON THE I-680 SOUTHBOUND EXPRESS LANE PROJECT

Information Presentation by Alameda County Congestion Management Agency on the I-680 Southbound Express Lane Project

Contact Person:

Name: Jim Pierson
Title: Director
Dept.: Transportation & Operations
Phone: 510-494-4722
E-Mail: jpierson@fremont.gov

RECOMMENDATION: No action is required. This item is intended to provide a status update to the Council and provide for Council questions of ACCMA staff and consultants.

8. COUNCIL COMMUNICATIONS

8.1 Council Referrals

8.1.1 MAYOR WASSERMAN REFERRAL: Appointment of Phong H. La to the Human Relations Commission

Appointment:

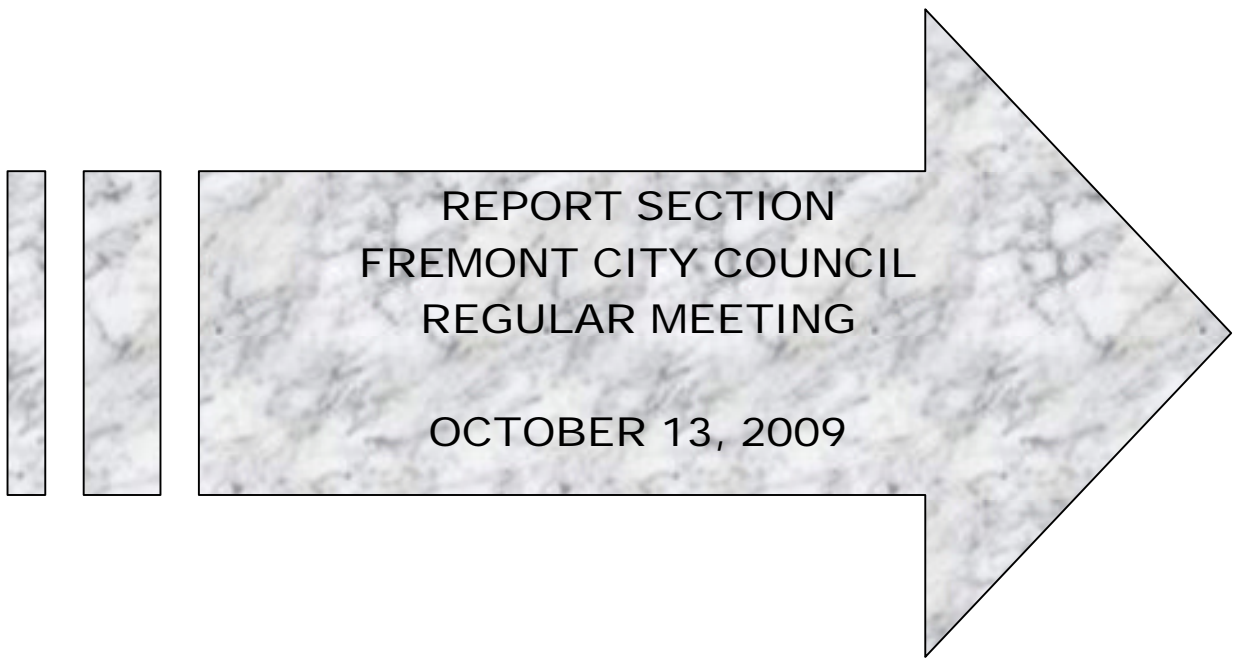
Advisory Body
Human Relations
Commission

Appointee
Phong H. La

Term Expires
December 31, 2010

8.2 Oral Reports on Meetings and Events

9. ADJOURNMENT



REPORT SECTION
FREMONT CITY COUNCIL
REGULAR MEETING

OCTOBER 13, 2009

***2.3 TRI-CITIES LANDFILL AND ALTAMONT LANDFILL CONTRACT AMENDMENTS**
Approval of Amendments to the Tri-Cities Recycling and Disposal Facility and the Altamont Landfill Contracts to Incorporate Requirements Related to the Transition of Municipal Solid Waste Disposal from the Tri-Cities Recycling and Disposal Facility to the Altamont Landfill

Contact Person:

Name:	Ken Pianin	Kathy Cote
Title:	Solid Waste Administrator	Environmental Services Manager
Dept.:	Transportation and Operations	Transportation and Operations
Phone:	(510) 494-4582	(510) 494-4583
E-Mail:	kpianin@fremont.gov	kcote@fremont.gov

Executive Summary: Currently, solid waste from the Fremont Transfer Station is disposed of at the Tri-Cities Recycling and Disposal Facility (Tri-Cities Landfill). Once the Tri-Cities Landfill reaches capacity, the City intends to transition landfill disposal to the Altamont Landfill and has an executed contract with the Altamont Landfill in place. This change requires advance planning due to the operational and transportation equipment changes that will be needed. While the Tri-Cities Landfill is close to reaching capacity, the specific closure date is unclear and is subject to variables such as fluctuations of incoming volumes. This uncertainty has made transition planning more difficult. In order to provide more certainty for planning, staff is recommending that the City Council authorize the City Manager to execute amendments with Waste Management of Alameda County to the Tri-Cities Landfill and Altamont Landfill contracts to incorporate specified dates for a phased transition. Staff is recommending that the Fremont Transfer Station begin delivery of approximately 75% of its solid waste to the Altamont Landfill beginning July 1, 2010, and transition the remaining 25% as of July 1, 2011. The contract amendment would also clarify contractor obligations during the transition period, modify the Tri-Cities Landfill hours of operation, and modify the CPI index used for the biennial adjustment to make it consistent with the City's other solid waste contracts.

BACKGROUND: Solid waste disposed of at the Altamont Landfill is subject to Alameda County Measure D Fees. This regulatory fee is approximately \$8 per ton (subject to annual CPI) and is included in the Altamont Landfill Disposal Rate. Half of the Measure D funds collected are used for countywide waste reduction programs administered by Stopwaste.Org while the remainder is remitted back to the jurisdictions. Once the City begins delivery of waste to the Altamont Landfill, it will be eligible to receive Measure D funding. Measure D funds are restricted and can only be used for waste reduction programs. Measure D fees are not charged at the Tri-Cities Landfill. Therefore, the City is not receiving any Measure D revenue at this time. The change to the Altamont disposal site will therefore result in a new revenue source for solid waste programs.

DISCUSSION/ANALYSIS: Some advance planning and coordination is needed to transition from one landfill disposal site to another due to the distance to the Altamont Landfill. The Altamont Landfill is a 72 mile round trip from the Fremont Transfer Station versus a four mile round trip to the Tri-Cities Landfill. The longer transportation time to the Altamont Landfill will require additional drivers. In addition, the Fremont Transfer Station operator will need to acquire new transfer trailers with higher capacity to minimize the number of trips and drivers going to the Altamont Landfill. Given the lead-time

needed for the equipment purchase, the City desired a specific transition planning date. However, Waste Management was apprehensive about committing to a specific transition date that may turn out to be too soon. They were concerned about the Tri-Cities Landfill not taking in enough total waste material to achieve the required final landfill contours as well as potentially forfeiting unused landfill capacity. These concerns would be addressed with the phased transition staff is recommending.

Beginning July 1, 2010, the Amendment calls for approximately 75% of the waste material from the Fremont Transfer Station to be disposed of at the Altamont Landfill, with the remainder still being delivered to the Tri-Cities Landfill. This will continue through June 30, 2011, unless Waste Management requests a six-month extension of waste delivery to provide additional material for final landfill contouring. This is the only extension allowed by the Amendment. Therefore, no later than December 31, 2011, 100% of Fremont Transfer Station waste will be delivered to the Altamont Landfill and Waste Management will begin the closure/post closure process at the Tri-Cities Landfill.

In recognition of the proposed reduction of waste delivery volumes to the Tri-Cities Landfill, staff is recommending reducing the facility's waste receiving hours to five hours per day beginning July 1, 2010. As part of this Amendment process, staff also took the opportunity to request changes to the adjustment formula for the Tri-Cities Landfill contract to make the rate adjustment period consistent with all of the City's other solid waste contracts. The CPI adjustment will be done biennially (versus annually) and the index formula will be changed from CPI-W (Urban Wage Earners and Clerical Wage Earners) to CPI-U (All Urban Consumers), again, to be consistent with all other City solid waste contracts.

FISCAL IMPACT: There is no impact to the General Fund; however, the Integrated Waste Management Fund will receive annual Measure D funds once delivery of waste to the Altamont landfill commences. Staff estimates receiving approximately \$360,000 in FY 2010/11 that can be used to offset costs of the City's waste reduction programs.

ENCLOSURE: None

RECOMMENDATION: Authorize the City Manager or designee to execute amendments with Waste Management of Alameda County to the Tri-Cities Recycling and Disposal Facility and the Altamont Landfill Contracts as described in this staff report.

***2.4 APPROVAL OF CHANGE ORDER - 2009 ASPHALT OVERLAY PROJECT**
Approval of \$400,000 Change Order for Additional Pavement Rehabilitation Work for the 2009 Asphalt Overlay, City Project No. 8234H (PWC)

Contact Persons:

Name:	Connie Wong	Norm Hughes
Title:	Senior Civil Engineer	City Engineer
Dept.:	Community Development	Community Development
Phone:	510-494-4782	510-494-4748
E-Mail:	cwong@fremont.gov	nhughes@fremont.gov

Executive Summary: The purpose of this report is to request City Council authorization for the City Manager to execute a contract change order in the amount of \$400,000 for additional pavement rehabilitation work for the 2009 Asphalt Overlay Project, City Project No. 8234H (PWC).

BACKGROUND: On April 7, 2009, City Council appropriated \$5,907,000 of American Recovery and Reinvestment Act of 2009 (ARRA) funding to the 2009 Asphalt Overlay Project, City Project No. 8234H (PWC). This amount was based on the City's share of the ARRA funding in the amount of \$4,010,000 plus an additional \$1,897,000 resulting from a Fund Exchange Agreement with Alameda County Congestion Management Agency.

On July 14, 2009, the City Council approved the plans and specifications for the 2009 Asphalt Overlay Project, City Project No. 8234H (PWC), and awarded a construction contract in the amount of \$5,833,856 to Granite Rock Company. This contract amount is less than the amount of ARRA funding received by the City and appropriated by the Council to the Overlay Project. The Engineer's estimate for the project was \$7,200,000.

DISCUSSION: Construction of the 2009 Asphalt Overlay Project began on August 24, 2009, and the project consists of overlay on a total of thirteen (13) City street sections. On two of the street sections, Doane Street and Las Palmas Avenue, the project plans called for grinding the existing asphalt, removing and replacing a high quantity of failed pavement with a new asphalt section, and overlaying the entire street. Due to previous experiences of poor subgrade near Doane Street, staff requested that the contractor perform a test section on Doane Street to determine the condition of the subgrade. The test section indicated that because the subgrade is very poor due to moisture, it will not provide a stable base for paving. Staff is now recommending an alternate method of rehabilitating both streets that involves grinding and removing the existing asphalt, and mixing cement into the rock base section, which will provide the needed strength and stability for paving. This method of rehabilitating the entire street rather than repairing only where localized segments have failed will ensure that the new pavement on both streets will last longer and require less maintenance in the future.

FISCAL IMPACT: The cost of this change order is \$400,000. Because the low bid received in the amount of \$5,833,856 is \$73,144 less than the ARRA funding received by the City in the amount of \$5,907,000, this new method will allow the City to use the remaining ARRA funding. Staff recommends funding this change order with \$73,144 of ARRA funding previously appropriated by City Council to this project, with the remainder amount of \$326,856 to be funded with Proposition 1B funds. There is

an unencumbered appropriation of \$5,433,712 in Proposition 1B funds in this PWC. There are sufficient funds to cover this proposed change order.

ENVIRONMENTAL REVIEW: In April 3, 2009, the California Department of Transportation determined that all conditions of the June 7, 2007 Programmatic Categorical Exclusion Agreement with the Federal Highway Administration have been met for this project, in conformance with the guidelines for the National Environmental Policy Act (NEPA). This project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15031(c).

ENCLOSURE: None

RECOMMENDATION: Authorize the City Manager, or designee, to execute a contract change order in the amount of \$400,000 to Granite Rock Company, thereby increasing the contract amount to \$6,233,856.

***2.5 FREMONT POLICE ASSOCIATION MOU**

Consideration of a Resolution Approving a New Memorandum of Understanding (2009-2011) with the Fremont Police Association (FPA)

Contact Person:

Name: Mary Kaye Fisher
Title: Interim Director
Dept.: Human Resources
Phone: 510-494-4664
E-Mail: mkfisher@fremont.gov

Melissa Stevenson Dile
Deputy City Manager
City Manager's Office
510-284-4005
mdile@fremont.gov

Executive Summary: In August 2009, the City completed negotiations with the Fremont Police Association for a two-year agreement. This unit has 174 members and represents sworn police officers and sergeants. The proposed MOU carries over most of the provisions of the existing MOU, with some changes: it maintains current salary levels with no Cost of Living Adjustment (COLA) during the two-year term and increases the City's contribution to the Health Benefit Allowance (HBA) for the unit effective in January 2010 and 2011, at five percent (5%) and ten percent (10%), respectively. In addition, the agreement moves the Fremont Police Association into City sponsored dental coverage.

The primary changes to existing Memorandum of Understanding provisions include:

1. *No Cost of Living (COLA) Adjustments*
2. *Health Benefit Allowance (HBA):*
 - a. Effective January 1, 2010, the Health Benefit Allowance will increase from \$1,234 per month to \$1,436 per month. This amount also includes a reallocation of the dental premium from the Association sponsored plan to the City sponsored plan.
 - b. Effective January 1, 2011, the Health Benefit Allowance will increase to \$1,580 per month.
3. *Alignment of Benefits.* The current menu of benefits available to employees varies considerably by bargaining unit. The negotiations have resulted in agreement to transfer the plan administration for dental insurance to the City for dental benefits previously administered by a benefit trust. This will allow the City's insurance broker to achieve efficiencies and cost savings through larger purchasing pools and review of utilization data.

In addition, the MOU contains minor changes to clarify administrative procedures.

FISCAL IMPACT: The costs resulting from the recommended memorandum of understanding are relatively minor and, as such, can be absorbed in the Operating Budget adopted by the Council on June 9, 2009. The provisions of the recommended memorandum of understanding are consistent with the City's sustainable budget strategy, which relies on the use of one-time resources, reduced operating expenditures, and strategic investments of City resources in order to balance the City's budget.

ENCLOSURES: [Draft Resolution](#)

RECOMMENDATION: Adopt a resolution approving a two-year Memorandum of Understanding (MOU) between the City and the Fremont Police Association that commences July 1, 2009 and expires June 30, 2011, and provides for the benefits outlined above, and authorize the City Manager or designee to execute and implement the terms and conditions of the MOU.

***2.6 Second Reading and Adoption of an Ordinance of the City of Fremont Dissolving the Sister City Commission and Deleting the Provisions of the Fremont Municipal Code Related Thereto**

ENCLOSURE: [Draft Ordinance](#)

RECOMMENDATION: Adopt ordinance.

***2.7 APPEAL OF DENIAL OF SANGEETAANJALI MUSIC INSTITUTE – 4600 NELSON STREET**

Public Hearing (Published Notice) to Consider an Appeal of a Planning Commission Decision to Deny a Conditional Use Permit to Allow a Portion of an Existing Single-Family Residence to be Used as a Non-Profit Music School with Concerts and Recitals Held Inside the Home (PLN2009-00044)

Contact Person:

Name:	Steve Kowalski	Jeff Schwob
Title:	Associate Planner	Planning Director
Dept.:	Community Development	Community Development
Phone:	510-494-4532	510-494-4527
E-Mail:	skowalski@fremont.gov	jschwob@fremont.gov

Executive Summary: On Wednesday, October 7, 2009, the applicant requested that the hearing for his appeal be continued off-calendar because of a family emergency that necessitated last-minute travel overseas. The applicant will be out of the country for approximately the next 4 months and is expecting to return in mid to late February 2010. He will inform staff when he has returned from his trip at which time the item will be rescheduled to the next available City Council meeting, and the neighbors will be re-notified of the new hearing date.

Recommendation: Continue the item off-calendar and direct staff to return the matter to the City Council when the applicant returns to the country and re-notify all interested parties of the new hearing date once it has been determined.

6.1 Report Out from Closed Session of Any Final Action

7.1 INFORMATION PRESENTATION ON THE I-680 SOUTHBOUND EXPRESS LANE PROJECT

Information Presentation by Alameda County Congestion Management Agency on the I-680 Southbound Express Lane Project

Contact Person:

Name: Jim Pierson
Title: Director
Dept.: Transportation & Operations
Phone: 510-494-4722
E-Mail: jpierson@fremont.gov

Executive Summary: As part of a long term plan to improve traffic flow on I-680 freeway and increase transportation funding, the Alameda County Congestion Management Agency (ACCMA) is converting the existing southbound carpool lane between Sunol and Milpitas to an Express Lane, sometimes called a High Occupancy Toll (HOT) Lane. Carpools will continue to use the lane for free while solo drivers could use the lane for a fee that will vary depending on the level of congestion in the Express Lane. The I-680 Southbound Express Lane Project is about a year away from completion. As part of the project's outreach and public education process, ACCMA and their project team will make an informational presentation to the City Council on the I-680 Southbound Express Lane Project.

BACKGROUND: An Express Lane, also referred to as a High Occupancy Toll (HOT) Lane, is a designated lane motorists driving alone can use if they pay a toll, allowing them to avoid traffic delays in the adjacent regular lanes. HOT lanes are usually combined with High Occupancy Vehicle (HOV or carpool) lanes that have enough capacity to handle more vehicles. Carpools will continue to use the lane for free while solo drivers could use the lane for a fee that will vary depending on the level of congestion in the Express Lane. The variable fee will make excess capacity available to paying motorists while guaranteeing a reasonable travel time for all users of the lane. Tolls will be collected electronically with drivers using FastTrak transponders.

The I-680 Southbound Express Lane Project is located on a 14-mile stretch in the southbound direction of I-680 freeway between Highway 84 in Sunol and Highway 237 in Milpitas. About 80% of the project is located in Alameda County with the remainder in Santa Clara County. Construction began in October 2008 and the express lane is scheduled to open to customers by the end of 2010. The I-680 Southbound Express Lane is a project of the Sunol Smart Carpool Lane Joint Powers Agency (JPA) which was authorized by State legislation in 2004, and comprises members from the ACCMA, the Alameda County Transportation Improvement Authority (ACTIA), and the Santa Clara Valley Transportation Authority (VTA). The JPA is responsible for design, implementation and operation of the project, and the CMA serves as the administrator of the project.

DISCUSSION: As part of the project's outreach and public education process, ACCMA and their project team will make an informational presentation to the City Council on the I-680 Southbound Express Lane Project. The presentation will consist of a general description of the project, the project's

outreach program, project phases, construction schedule, current construction status and a video presentation on how an Express Lane works.

FISCAL IMPACT: None.

ENCLOSURE: None.

RECOMMENDATION: No action is required. This item is intended to provide a status update to the Council and provide for Council questions of ACCMA staff and consultants.

8.1 Council Referrals

8.1.1 MAYOR WASSERMAN REFERRAL: Appointment of Phong H. La to the Human Relations Commission

Appointment:

Advisory Body

Human Relations Commission

Appointee

Phong H. La

Term Expires

December 31, 2010

ENCLOSURES: [Commission Application](#)

8.2 Oral Reports on Meetings and Events

ACRONYMS

ABAG.....	Association of Bay Area Governments	FUSD	Fremont Unified School District
ACCMA.....	Alameda County Congestion Management Agency	GIS	Geographic Information System
ACE	Altamont Commuter Express	GPA.....	General Plan Amendment
ACFCD	Alameda County Flood Control District	HARB	Historical Architectural Review Board
ACTA	Alameda County Transportation Authority	HBA	Home Builders Association
ACTIA	Alameda County Transportation Improvement Authority	HRC	Human Relations Commission
ACWD	Alameda County Water District	ICMA	International City/County Management Association
BAAQMD	Bay Area Air Quality Management District	JPA	Joint Powers Authority
BART	Bay Area Rapid Transit District	LLMD	Lighting and Landscaping Maintenance District
BCDC	Bay Conservation & Development Commission	LOCC	League of California Cities
BMPs	Best Management Practices	LOS	Level of Service
BMR	Below Market Rate	MOU	Memorandum of Understanding
CALPERS.....	California Public Employees' Retirement System	MTC	Metropolitan Transportation Commission
CBD	Central Business District	NEPA	National Environmental Policy Act
CDD	Community Development Department	NLC.....	National League of Cities
CC & R's	Covenants, Conditions & Restrictions	NPDES.....	National Pollutant Discharge Elimination System
CDBG	Community Development Block Grant	NPO.....	Neighborhood Preservation Ordinance
CEQA	California Environmental Quality Act	PC.....	Planning Commission
CERT	Community Emergency Response Team	PD	Planned District
CIP	Capital Improvement Program	PUC.....	Public Utilities Commission
CMA	Congestion Management Agency	PVAW	Private Vehicle Accessway
CNG.....	Compressed Natural Gas	PWC.....	Public Works Contract
COF	City of Fremont	RDA	Redevelopment Agency
COPPS	Community Oriented Policing and Public Safety	RFP	Request for Proposals
CSAC.....	California State Association of Counties	RFQ.....	Request for Qualifications
CTC	California Transportation Commission	RHNA	Regional Housing Needs Allocation
dB	Decibel	ROP.....	Regional Occupational Program
DEIR.....	Draft Environmental Impact Report	RRIDRO.....	Residential Rent Increase Dispute Resolution Ordinance
DO	Development Organization	RWQCB	Regional Water Quality Control Board
DU/AC.....	Dwelling Units per Acre	SACNET	Southern Alameda County Narcotics Enforcement Task Force
EBRPD	East Bay Regional Park District	SPAA	Site Plan and Architectural Approval
EDAC	Economic Development Advisory Commission (City)	STIP	State Transportation Improvement Program
EIR.....	Environmental Impact Report (CEQA)	TCRDF.....	Tri-Cities Recycling and Disposal Facility
EIS	Environmental Impact Statement (NEPA)	T&O	Transportation and Operations Department
ERAF	Education Revenue Augmentation Fund	TOD	Transit Oriented Development
EVAW	Emergency Vehicle Accessway	TS/MRF	Transfer Station/Materials Recovery Facility
FAR	Floor Area Ratio	UBC	Uniform Building Code
FEMA.....	Federal Emergency Management Agency	USD.....	Union Sanitary District
FFD.....	Fremont Fire Department	VTa	Santa Clara Valley Transportation Authority
FMC.....	Fremont Municipal Code	WMA	Waste Management Authority
FPD.....	Fremont Police Department	ZTA.....	Zoning Text Amendment
FRC.....	Family Resource Center		

**UPCOMING MEETING AND CHANNEL 27
BROADCAST SCHEDULE**

<i>Date</i>	<i>Time</i>	<i>Meeting Type</i>	<i>Location</i>	<i>Cable Channel 27</i>
October 20, 2009	6:00 p.m.	Work Session	Council Chambers	Live
October 27, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
November 3, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
November 10, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
November 17, 2009	TBD	Work Session	Council Chambers	Live
November 24, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
December 1, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
December 8, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
December 15, 2009	TBD	Work Session	Council Chambers	Live
December 16, 2009 – January 4, 2010		Council Recess		
January 5, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
January 12, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
January 19, 2010	TBD	Work Session	Council Chambers	Live
January 26, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
February 2, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
February 9, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
February 16, 2010	TBD	Work Session	Council Chambers	Live
February 23, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live